

Amend Sec 2 by striking out
all of line one ^{and} down to word "law"
in line two

Livingston

Adopted

Sec 3
Strike out the word
"the" in the 6th line
before word "country"
and insert the word
each. also strike out the
word "for country" ^{there} ~~there~~

Adopted

Sealamp Desk

Amendment.

No. 521.

INTRODUCED BY COMMITTEE ON CITY, COUNTY, AND TOWNSHIP ORGANIZATIONS.

DECEMBER 7TH, 1878.

READ, AND ORDERED PRINTED, AND PLACED ON GENERAL FILE.

ARTICLE —

CITIES, COUNTIES, AND TOWNS.

SECTION 1. The several counties, as they now exist, are hereby recog-
nized as legal subdivisions of this State.

SEC. 2. *Having this amendment take effect*
(County seats shall not be removed by special law, but such
removals shall be provided for by general law.) No county seat shall be
removed unless two-thirds of the qualified electors of the county, voting on
the proposition at a general election, shall vote in favor of such removal. A
proposition of removal shall not be submitted in the same county more than
once in four years.

SEC. 3. No new county shall be established which shall reduce any
county to a population of less than eight thousand; nor shall a new county be
formed containing a less population than five thousand; nor shall any line
thereof pass within five miles of the county seat of any county proposed to
be divided; nor shall a county be divided, or have any portion taken there-
from, unless a majority of all the qualified electors of the county or counties

inc. S. H. K. M. A. W.

Amendment to Sec 3

Strike out ~~the words~~ in
lines 7 & 8 the words
"new counties when created
or" and insert the
~~same words after the~~
~~word county in~~
words "or new counties
when created" after the
word ^{county} "county" in line 8

adopted Herrington

adopted

Amend Sec 6 as follows

Strike out all down
^{and including}
to the word "but" in line
2

adopted Herrington

7 affected, voting at a general election, shall vote therefor. (New counties, when
 8 created, or portions of a county, when added to another county, shall be liable
 9 for their just proportion of all debts and liabilities, then existing, of the county
 10 or counties out of which they are respectively formed or taken.

Having been amended takes effect

SEC. 4. The Legislature shall establish a system of county govern-
 2 ments which shall be uniform throughout the State; and by general laws shall
 3 provide for township organization, under which any county may organize
 4 whenever a majority of the qualified electors of such county, voting at a gen-
 5 eral election, shall so determine; and, whenever a county shall adopt township
 6 organization, the assessment and collection of the revenue shall be made, and
 7 the business of such county and the local affairs of the several townships
 8 therein shall be managed and transacted in the manner prescribed by such
 9 general laws.

Adopted

SEC. 5. The Legislature, by general and uniform laws, shall provide
 2 for the election or appointment, in the several counties, of Boards of Super-
 3 visors, Sheriffs, County Clerks, District Attorneys, and such other county,
 4 township, and municipal officers as public convenience may require, and shall
 5 prescribe their duties and fix their compensation. It shall regulate the sala-
 6 ries and fees of all county officers, in proportion to duties, and for this pur-
 7 pose may classify the counties by population; and it shall provide for the
 8 strict accountability of county and township officers for all fees which may
 9 be collected by them, and for all public and municipal moneys which may be
 10 paid to them or officially come into their possession.

Adopted

SEC. 6. (Corporations, for municipal purposes, shall not be created by
 2 special laws, but the Legislature, by general laws, shall provide for the incor-
 3 poration, organization, and classification, in proportion to population, of cities

Having been amended takes effect

it is added to the

4 and towns; and cities and towns heretofore organized or incorporated may
5 become organized under and subject to such general laws. Cities and towns
6 may become incorporated under general laws, whenever a majority of the
7 electors voting at a general election shall so determine, and shall organize in
8 conformity therewith.

SEC. 7. City and county governments may be merged and consoli-
2 dated into one municipal government, with one set of officers, and may be
3 incorporated under general laws providing for the incorporation and organi-
4 zation of corporations for municipal purposes. The provisions of this Consti-
5 tution applicable to cities, and also those applicable to counties, so far as not
6 inconsistent or not prohibited to cities, shall be applicable to such consolidated
7 government. In consolidated city and county governments, of more than one
8 hundred thousand population, there shall be two Boards of Supervisors or
9 Houses of Legislation—one of which, to consist of twelve persons, shall be
10 elected by general ticket from the city and county at large, and shall hold
11 office for the term of four years, but shall be so classified that after the first
12 election only six shall be elected every two years; the other, to consist of
13 twelve persons, shall be elected every two years, and shall hold office for two
14 years. Any casual vacancy in the office of Supervisor in either Board shall
15 be filled by the Mayor.

SEC. 8. No person shall be eligible to a county or city office unless he
2 has been a citizen and resident within such county or city for two years next
3 preceding his election or appointment to an office therein.

SEC. 9. Any city (having a population of more than one hundred
2 thousand inhabitants) may frame a charter for its own government, consistent
3 with and subject to the Constitution and laws of this State, by causing a Board

adopted

*Lawrence
Journal*

McCallum amendment later effect

Strike out from lines 1 and 2
these words "having a population
of more than one hundred
thousand inhabitants"

adopted

McCallum

4 of fifteen freeholders, who shall have been for at least five years qualified
5 electors thereof, to be elected by the qualified voters of such city, at any gen-
6 eral or special election, whose duty it shall be, within ninety days after such
7 election, to prepare and propose a charter for such city, which shall be signed
8 in duplicate by the members of such Board, or a majority of them, and returned,
9 one copy thereof to the Mayor, or other chief executive officer of such city,
10 and the other to the Recorder of deeds of the county. Such proposed charter
11 shall then be published in two daily papers of largest general circulation in
12 such city for at least twenty days, and within not less than thirty days after
13 such publication it shall be submitted to the qualified electors of such city at
14 a general or special election, and if a majority of such qualified electors voting
15 thereat shall ratify the same, it shall, at the end of sixty days thereafter,
16 become the charter of such city, or if such city be consolidated with a county
17 in government, then of such city and county, and shall become the organic
18 law thereof, and supersede any existing charter and all amendments thereof,
19 and all special laws inconsistent with such charter. A copy of such charter,
20 certified by the Mayor, or chief executive officer, and authenticated by the
21 seal of such city, setting forth the submission of such charter to the electors,
22 and its ratification by them, shall be made in duplicate and deposited, one in
23 the office of the Secretary of State, the other, after being recorded in the office
24 of the Recorder of deeds of the county, among the archives of the city, and
25 thereafter all Courts shall take judicial notice thereof. The charter so ratified
26 may be amended at intervals of not less than two years, by proposals therefor,
27 submitted by the legislative authority of the city to the qualified voters thereof,
28 at a general or special election held at least sixty days after the publication of
29 such proposals, and ratified by at least three-fifths of the qualified electors
30 voting thereat. In submitting any such charter, or amendment thereto, any

- 31 alternative article or proposition may be presented for the choice of the voters,
32 and may be voted on separately without prejudice to others.

closed
SEC. 10. The compensation or fees of any county, city, town, or municipal officer shall not be increased after his election or during his term of office; nor shall the term of any such officer be extended beyond the period for which he is elected or appointed.

17-22
SEC. 11. No county, city, town, or other public or municipal corporation, nor the inhabitants thereof, nor the property therein, shall be released or discharged from their or its proportionate share of taxes to be levied for State purposes; nor shall commutation for such taxes be authorized in any form whatsoever.

SEC. 12. Any county, city, town, or township may make and enforce within their respective limits all such local, police, sanitary, and other regulations as are not in conflict with general laws.

complaints answered
SEC. 13. Taxes for county, city, town, school, and other local purposes must be levied on all subjects and objects of taxation. In addition to that which may be levied for the payment of the principal and interest of existing indebtedness, the annual rate on property shall not exceed the following: For county purposes, in counties having two million dollars or less, shall not exceed — cents on the one hundred dollars' valuation; in counties having six million dollars, and under ten million dollars, such rate shall not exceed — cents on the one hundred dollars' valuation; and in counties having ten million dollars or more such rate shall not exceed — cents on the one hundred dollars' valuation. For city and town purposes such annual rate on property in incorporated cities and towns shall not exceed — cents on the one hundred dollars' valuation; and in any city and county with consoli-

Director out on motion of Mr. [unclear]

Adopted

Sept 11/1900

NOTICE TO READERS
SHORT STATE

Amend Sec 13 by striking
out all after the word
"taxation" in line 1000

Freeman

Superseded by
Motion to strike
out all of Sec 9 -
By Mr Jones

31

32

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4

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closed

FE OF CALIFOR
TE LIBR

Dec. 13 Line 5- after word
"life" insert as follows
"Such date"

In line 10 strike out in this
line all after word "dollars"
and insert the following

"valuation; for city & town
purposes such date on"

Hager

Superseded by Thurman

Amended Sec 12 as follows
~~Strike out the words~~
~~the words~~
"their respectance"
in line 2 and insert
the word "its" in lieu
thereof
adopted) Korrington

Amended
on mo

13 dated government, such rate shall not exceed — cents on the one hundred
14 dollars' valuation.

Adopted
SEC. 14. The Legislature shall have no power to impose taxes upon
2 counties, cities, towns, or other public or municipal corporations, or upon the
3 inhabitants or property thereof, for county, city, town, or other municipal
4 purposes, but may, by general laws, vest in the corporate authorities thereof
5 the power to assess and collect taxes for such purposes.

Adopted
SEC. 15. The Legislature shall not delegate to any special commission,
2 private corporation, company, association, or individual, any power to make,
3 control, appropriate, supervise, or in any way interfere with, any county, city,
4 town, or municipal improvement, money, property, or effects, whether held in
5 trust or otherwise, or to levy taxes or assessments, or perform any municipal
6 functions whatever.

Adopted
SEC. 16. No State office shall be continued or created in any county,
2 city, town, or other municipality, for the inspection, measurement, or gradua-
3 tion of any merchandise, manufacture, or commodity; but such county, city,
4 town, or municipality may, when authorized by general law, and the public
5 interest demands it, appoint such officers.

Adopted
SEC. 17. Private property shall not be taken or sold for the payment
2 of the corporate debt of any political or municipal corporation.

Adopted
SEC. 18. All moneys, assessments, and taxes belonging to or collected
2 for the use of any county, city, town, or other public or municipal corpora-
3 tion, coming into the hands of any officer thereof, shall, immediately on the
4 receipt thereof, be deposited with the Treasurer, or other legal depository, to

5. the credit of such city, town, or other corporation respectively, for the benefit
6. of the funds to which they respectively belong.

SEC. 19. The making of profit out of county, city, town, or public ^{other} school money, or using the same for any purpose not authorized by law, by any officer having the possession or control thereof, shall be a felony, and shall be prosecuted and punished as prescribed by law.

SEC. 20. No county, city, town, township, Board of Education, or school district, shall incur any indebtedness or liability in any manner, or for any purpose, exceeding in any year the income and revenue provided for them respectively for such year, without the assent of two-thirds of the voters thereof voting at an election to be held for that purpose; and in cases requiring such assent no indebtedness shall be incurred (except by a county to erect a Court-house or Jail) to an amount, excluding existing indebtedness, in the aggregate exceeding five per centum on the value of the taxable property therein, to be ascertained by the assessment next before the last assessment for State and county purposes previous to the incurring such indebtedness, and unless, before or at the time of incurring such indebtedness, provision shall be made for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due, and also to constitute a sinking fund for the payment of the principal thereof within forty years from the time of contracting the same. *add Hays Amendment*

SEC. 21. No county, city, town, or other public or municipal corporation, by a vote of its citizens or otherwise, shall become a subscriber to the capital stock, or a stockholder in any corporation, association, or company, or make any appropriation, or donation, or loan its credit to, or in aid of, any person, corporation, association, company, or institution.

*Hays Amendment
Cable Amendment*

Hays Amendment

*Strickland
S. Barker*

Amended

Amend Section (19) by
Striking out the word School in
second line and
adopt Capt.

Aug

Amend Sec 20 in line 14 by
striking out the word (forty) and
insert the word (twenty)
adopt Wyatt

Adopt

Section 19

Line 1 Insert the word "other"
before the word "public"
McCallum
adapted

or

Wagon

Amend

Sec 20 - Add to the end
of this section the following -

Any indebtedness or liability incurred
contrary to this provision shall be
void.

Line 4 insert word "Qualified"
before word voters.

a

Amend Sec 20. after
the word "Jail" on line

7.

by adding "or of a city
or city and county for
~~by means of condemnation for~~
~~the acquisition of~~
the construction of water
works or for their
acquisition ~~to be~~ by means
of condemnation.

Adopted

Eslee

Amend Section four 20
by striking out five and
Inserting two in eighth line

adapt

Caples

Stricken out - Capital

SEC. 22. No law shall be passed by the Legislature granting the right
 2 to construct and operate a railroad within any city, town, village, or on any
 3 public street or highway thereof, without the consent of the municipal or other
 4 proper local authorities having the control of such street or highway proposed
 5 to be occupied by such railroad.

Stricken out - means

SEC. 23. In any city where there are no public works owned and con-
 2 trolled by the municipality for supplying the same with artificial light and
 3 water, any company duly incorporated by the laws of this State shall, under
 4 the direction of the Superintendent of Streets of said city, have the privilege
 5 of disturbing and using the public streets and thoroughfares thereof, and of
 6 laying down pipes and conduits therein, and of making connections there-
 7 with, so far as may be necessary for introducing into and supplying such city
 8 and its inhabitants either with gaslight or other illuminating light, or with
 9 fresh water for domestic and all other purposes, for which the same or either
 10 may be used, upon the conditions following: Such company shall make good
 11 all damages to such streets and thoroughfares, except necessarily occasioned
 12 by the reasonable use thereof, and be liable to such city and its inhabitants
 13 therefor. Such company introducing and supplying gaslight or other light,
 14 and fresh water, or either, shall furnish the same, so far as necessary and
 15 required, free and without charge, to all public buildings, institutions, and
 16 school houses belonging to such city, and used for municipal purposes; and
 17 such company introducing and supplying water shall also furnish the same,
 18 free and without charge, to the Fire Department, and for the extinguishment
 19 of fires. Each company, its property and franchise, shall be liable to such
 20 city and its inhabitants for the performance of these conditions.

SEC. 24. In counties or cities having more than one hundred thousand

Amendment-

Sec 23-

Insert after the word used online
"subject to such ^{general} ordinances as the
Municipal Legislative authority may
make as to the mode of exercising
such privilege and"

Campbell
adopted

Superseded by
motion to strike out

Strike out sec. 14.

2 inhabitants no person shall, at the same time, be a State officer and a city or
 3 county officer, nor hold two city or county offices.

SEC. 25. No public work or improvement of any description what-
 2 soever shall be made or done, in any city, in, upon, or about the streets
 3 thereof, or otherwise, the cost and expense of which is made chargeable or
 4 may be assessed upon private property by special assessment, unless an esti-
 5 mate of such cost and expense shall be made, and an assessment in propor-
 6 tion to benefits, on the property to be affected or benefited, and shall be
 7 collected and paid into the city treasury before such work or improvement
 8 shall be commenced, or any contract for letting or doing the same authorized
 9 or performed.

SEC. 26. The Legislature shall not pass any local or special law in
 2 the cases following :

3 Regulating the affairs of counties, cities, towns, townships, wards, city or
 4 county Boards of Education, school districts, or other political or municipal
 5 corporation or subdivision of the State;

6 Authorizing the laying out, opening, altering, maintaining, or vacating
 7 roads, highways, streets, alleys, town plats, or parks;

8 Relating to cemeteries, graveyards, or public grounds not of the State;

9 Locating or changing county seats;

10 Incorporating cities, towns, or villages, or changing their charters;

11 Creating offices, or prescribing the powers and duties of officers in
 12 counties, cities, towns, townships, or school districts;

13 Regulating the fees or extending the powers and duties of county or
 14 municipal officers;

15 Regulating the management and maintenance of public schools, the

*Provision made
by Chapter*

~~Str~~ Amend Sec. 25. as follows:

~~The~~ insert the word "any" before the word
company in the amendment of Mr. How-
ard, and also insert the word "unless"
in place of the word "by" in the next line.

Accepted

Blackmer

Amend by adding to section 2.5
at the end thereof.

In any city where there are no
public works owned and con-
trolled by the municipality for
supplying the same with water
or artificial light, any ~~entity~~
individual, or ^{any} company duly
incorporated ^{under} the laws of
this state, shall under the direc-
tion of the Superintendent of
Streets, and under such reg-
ulations ^{as} the municipality
may prescribe for damages
and indemnity for damages,
have the privilege of ^{installing} ~~constructing~~
~~and~~ using the public streets
and thoroughfares thereof, and
of laying down pipes and con-
duits therein, and connections
therewith, so far as may

by Chapter

be necessary for introducing
into and supplying such
city and its inhabitants,
either with gas light, or other
illuminating light, or with
fresh water for domestic, or
and all other purposes, upon
the condition, that the municipal
government shall have the
right to regulate the charges
therefor.

adopted

Howard

Amend Sec 25 by transposing
the words "made" and "done"
in line 2

Pz Barbour

Sec. 25

Line 6 -

at the end of the line ~~to~~ after
word "be" insert word

"Levied"

and strike out word ["]and["]

before Shall

Haym

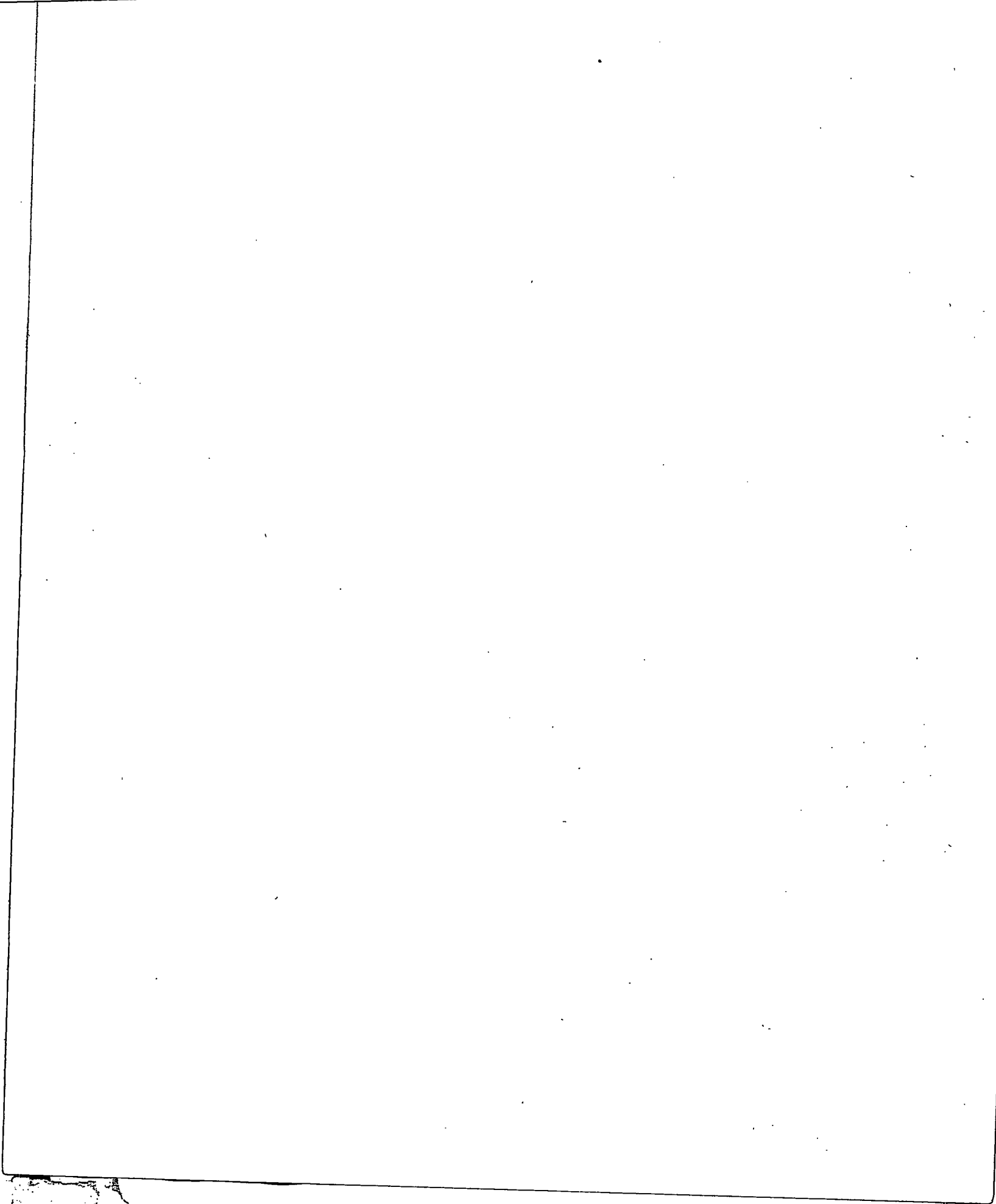
Adopted

Amend Sec 25 by striking
out lines. ~~6, 7, 11, 12~~, 22
and 23 -

Adopted

By Schell

Superseded by Caples motion
to strike out which was adopted



for

Amund

Dec. 26 -

Strike out

Lines 6, 7, 8 & 9

Lines 11, & 12

Lines 24 & 25.

Hall

*Impressed by Claple ~~which~~ in to strike
out which was ~~added~~*

*Phishen with
by Claple*

- 16 building or repairing of school or Court-houses, and raising of money for such
- 17 purposes;
- 18 Extending the time for the assessment or collection of county, city, or
- 19 other municipal taxes, or otherwise relieving any Assessor or Collector of
- 20 county or city taxes from the due performance of the official duties, or their
- 21 securities from liability;
- 22 Legalizing the unauthorized or invalid acts of any officer or agent of
- 23 any county or municipality thereof;
- 24 Directing the payment of money out of the treasury, or by any officer, of
- 25 any county, city, or town, without the consent of such county, city, and town.
- 26 Directing the payment of money from out of the treasury, or by any
- 27 officer of, or creating any liability against, a county, city, town, or any public
- 28 or municipal corporation, without its consent.

Action of Committee
Dec. 7, 1878
Amendment No. 521
Cities, Counties & Towns

Secretary's Copy.
Return to Desk.

Amendment.

No. 521.

INTRODUCED BY COMMITTEE ON CITY, COUNTY, AND TOWNSHIP ORGANIZATIONS.

DECEMBER 7TH, 1878.

AS AMENDED IN COMMITTEE OF THE WHOLE.

ARTICLE —.

CITIES, COUNTIES, AND TOWNS.

SECTION 1. The several counties, as they now exist, are hereby recog-
nized as legal subdivisions of this State.

SEC. 2. County seats shall not be removed by special law, but such
removals shall be provided for by general law. No county seat shall be
removed unless two-thirds of the qualified electors of the county, voting on
the proposition at a general election, shall vote in favor of such removal. A
proposition of removal shall not be submitted in the same county more than
once in four years.

Section two, as amended by Mr. Herrington, and adopted :

deleted
[SEC. 2. No county seat shall be removed unless two-thirds of the
qualified electors of the county, voting on the proposition at a general election,
shall vote in favor of such removal. A proposition of removal shall not be
submitted in the same county more than once in four years.]

SEC. 3. No new county shall be established which shall reduce any
county to a population of less than eight thousand; nor shall a new county

PAGE.

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Amend section 3 as reported from Committee of the whole by striking out all after the word "therefor" in line 7 and inserting the following:

"Every County which shall be enlarged or created from territory taken from any other County or Counties shall be liable for a just proportion of the ^{existing} debts and liabilities of the County or Counties from which such territory shall be taken."

Rhodes-

adapled

19
J. C. L.
be a
Lap
M.
L. C.
affa
V. C.

Sec 3

Strike out in
line 5 after the word divided
to and including the word
therefor in line 6 and the
following words

Nor shall a County
be divided or have any portion
taken therefrom unless a
majority of all the qualified
electors of the County or Counties
affected voting at a general
election shall therefor

Enact

Enacted

3 be formed containing a less population than five thousand ; nor shall any line
4 thereof pass within five miles of the county seat of any county proposed to
5 be divided ; nor shall a county be divided, or have any portion taken there-
6 from, unless a majority of all the qualified electors of the county or counties
7 affected, voting at a general election, shall vote therefor. New counties, when
8 created, or portions of a county, when added to another county, shall be liable
9 for their just proportion of all debts and liabilities, then existing, of the county
10 or counties out of which they are respectively formed or taken.

Section three, as amended by Messrs. Stedman and Herrington, and
adopted :

[SEC. 3. No new county shall be established which shall reduce any
2 county to a population of less than eight thousand ; nor shall a new county
3 be formed containing a less population than five thousand ; nor shall any line
4 thereof pass within five miles of the county seat of any county proposed to
5 be divided ; ~~nor shall a county be divided, or have any portion taken there-~~
6 ~~from, unless a majority of all the qualified electors of each county affected,~~
7 ~~voting at a general election, shall vote therefor.~~ Portions of a county, when
8 added to another county, or new counties when created, shall be liable for their
9 just proportion of all debts and liabilities, then existing, of the county or
10 counties out of which they are respectively formed or taken.]

SEC. 4. The Legislature shall establish a system of county govern-
2 ments which shall be uniform throughout the State ; and by general laws shall
3 provide for township organization, under which any county may organize
4 whenever a majority of the qualified electors of such county, voting at a gen-
5 eral election, shall so determine ; and, whenever a county shall adopt township
6 organization, the assessment and collection of the revenue shall be made, and
7 the business of such county and the local affairs of the several townships

Accepted
Rhodes
Amended

8 therein shall be managed and transacted in the manner prescribed by such
9 general laws.

10 SEC. 5. The Legislature, by general and uniform laws, shall provide
11 for the election or appointment, in the several counties, of Boards of Super-
12 visors, Sheriffs, County Clerks, District Attorneys, and such other county,
13 township, and municipal officers as public convenience may require, and shall
14 prescribe their duties and fix their compensation. It shall regulate the sala-
15 ries and fees of all county officers, in proportion to duties, and for this pur-
16 pose may classify the counties by population; and it shall provide for the
17 strict accountability of county and township officers for all fees which may
18 be collected by them, and for all public and municipal moneys which may be
19 paid to them or officially come into their possession.

20 SEC. 6. Corporations, for municipal purposes, shall not be created by
21 special laws; but the Legislature, by general laws, shall provide for the incor-
22 poration, organization, and classification, in proportion to population, of cities
23 and towns; and cities and towns heretofore organized or incorporated may
24 become organized under and subject to such general laws. Cities and towns
25 may become incorporated under general laws; whenever a majority of the
26 electors voting at a general election shall so determine, and shall organize in
27 conformity therewith.

Section six, as amended by Mr. Herrington, and adopted:

28 [SEC. 6. The Legislature, by general laws, shall provide for the incor-
29 poration, organization, and classification, in proportion to population, of cities
30 and towns; and cities and towns heretofore organized or incorporated may
31 become organized under and subject to such general laws. Cities and towns
32 may become incorporated under general laws, whenever a majority of the

Adopted

6 electors voting at a general election shall so determine, and shall organize in
7 conformity therewith.]

SEC. 7. City and county governments may be merged and consoli-
2 dated into one municipal government, with one set of officers, and may be
3 incorporated under general laws providing for the incorporation and organi-
4 zation of corporations for municipal purposes. The provisions of this Consti-
5 tution applicable to cities, and also those applicable to counties, so far as not
6 inconsistent or not prohibited to cities, shall be applicable to such consolidated
7 government. In consolidated city and county governments, of more than one
8 hundred thousand population, there shall be two Boards of Supervisors or
9 Houses of Legislation—one of which, to consist of twelve persons, shall be
10 elected by general ticket from the city and county at large, and shall hold
11 office for the term of four years, but shall be so classified that after the first
12 election only six shall be elected every two years; the other, to consist of
13 twelve persons, shall be elected every two years, and shall hold office for two
14 years. Any casual vacancy in the office of Supervisor, in either Board, shall
15 be filled by the Mayor.

SEC. 8. No person shall be eligible to a county or city office unless he
2 has been a citizen and resident within such county or city for two years next
3 preceding his election or appointment to an office therein.

Section eight was stricken out, on motion of Mr. Larkin.

SEC. 9. Any city having a population of more than one hundred
2 thousand inhabitants may frame a charter for its own government, consistent
3 with and subject to the Constitution and laws of this State, by causing a Board
4 of fifteen freeholders, who shall have been for at least five years qualified
5 electors thereof, to be elected by the qualified voters of such city, at any gen-

Concurrence in

6 eral or special election, whose duty it shall be, within ninety days after such
7 election, to prepare and propose a charter for such city, which shall be signed
8 in duplicate by the members of such Board, or a majority of them, and returned,
9 one copy thereof to the Mayor, or other chief executive officer of such city,
10 and the other to the Recorder of deeds of the county. Such proposed charter
11 shall then be published in two daily papers of largest general circulation in
12 such city for at least twenty days, and within not less than thirty days after
13 such publication it shall be submitted to the qualified electors of such city at
14 a general or special election, and if a majority of such qualified electors voting
15 thereat shall ratify the same, it shall, at the end of sixty days thereafter,
16 become the charter of such city, or if such city be consolidated with a county
17 in government, then of such city and county, and shall become the organic
18 law thereof, and supersede any existing charter and all amendments thereof,
19 and all special laws inconsistent with such charter. A copy of such charter,
20 certified by the Mayor, or chief executive officer, and authenticated by the
21 seal of such city, setting forth the submission of such charter to the electors,
22 and its ratification by them, shall be made in duplicate and deposited, one in
23 the office of the Secretary of State, the other, after being recorded in the office
24 of the Recorder of deeds of the county, among the archives of the city, and
25 thereafter all Courts shall take judicial notice thereof. The charter so ratified
26 may be amended at intervals of not less than two years, by proposals therefor,
27 submitted by the legislative authority of the city to the qualified voters thereof,
28 at a general or special election held at least sixty days after the publication of
29 such proposals, and ratified by at least three-fifths of the qualified electors
30 voting thereat. In submitting any such charter, or amendment thereto, any
31 alternative article or proposition may be presented for the choice of the voters,
32 and may be voted on separately without prejudice to others.

Section nine, as amended by Mr. McCallum, and adopted:

[SEC. 9. Any city may frame a charter for its own government, consistent
 2 with and subject to the Constitution and laws of this State, by causing a Board
 3 of fifteen freeholders, who shall have been for at least five years qualified
 4 electors thereof, to be elected by the qualified voters of such city, at any gen-
 5 eral or special election, whose duty it shall be; within ninety days after such
 6 election, to prepare and propose a charter for such city, which shall be signed
 7 in duplicate by the members of such Board, or a majority of them, and returned,
 8 one copy thereof to the Mayor, or other chief executive officer of such city,
 9 and the other to the Recorder of deeds of the county. Such proposed charter
 10 shall then be published in two daily papers of largest general circulation in
 11 such city for at least twenty days, and within not less than thirty days after
 12 such publication it shall be submitted to the qualified electors of such city at
 13 a general or special election, and if a majority of such qualified electors voting
 14 thereat shall ratify the same, it shall, ~~at the end of sixty days~~ thereafter, *James H. Kagere AM*
 15 become the charter of such city, or if such city be consolidated with a county
 16 in government, then of such city and county, and shall become the organic
 17 law thereof, and supersede any existing charter and all amendments thereof,
 18 and all special laws inconsistent with such charter. A copy of such charter,
 19 certified by the Mayor, or chief executive officer, and authenticated by the
 20 seal of such city, setting forth the submission of such charter to the electors
 21 and its ratification by them, shall be made in duplicate and deposited, one in
 22 the office of the Secretary of State, the other, after being recorded in the office
 23 of the Recorder of deeds of the county, among the archives of the city, and
 24 thereafter all Courts shall take judicial notice thereof. The charter so ratified
 25 may be amended at intervals of not less than two years, by proposals therefor,
 26 submitted by legislative authority of the city to the qualified voters thereof,
 27 at a general or special election held at least sixty days after the publication of

Concerned in

amend Hager Amendment
insert after the word Regulation
where it first occurs in the
Amendment of Mr Hager the
following: "For its approval or
rejection as a whole, without
power of alteration or Amendment."
Stebman

Adopted

H

Conc adopted

Amend the Amendment

Sec. 9. line 14 - Strike out
words "at the end of sixty
days" and insert after the
word "thereafter" ^{the following} "be submitted to
the Legislature ^{insert steam arrangements} and if approved
by a majority vote of the members
present to each House it shall"

line 29, after "thereat" insert
"and approved by the Legislature
as herein provided for the
approval of the charter"

Hager's

Adopted

Conced

28 such proposals, and ratified by at least three-fifths of the qualified electors
 29 voting thereat. ^{must have} In submitting any such charter, or amendment thereto, any
 30 alternative article or proposition may be presented for the choice of the voters,
 31 and may be voted on separately without prejudice to others.]

SEC. 10. The compensation or fees of any county, city, town, or municipal officer shall not be increased after his election or during his term of office; nor shall the term of any such officer be extended beyond the period for which he is elected or appointed.

SEC. 11. No county, city, town, or other public or municipal corporation, nor the inhabitants thereof, nor the property therein, shall be released or discharged from their or its proportionate share of taxes to be levied for State purposes, nor shall commutation for such taxes be authorized in any form whatsoever.

SEC. 12. Any county, city, town, or township may make and enforce within their respective limits all such local, police, sanitary, and other regulations as are not in conflict with general laws:

Section twelve, as amended by Mr. Herrington, and adopted.

[SEC. 12. Any county, city, town, or township may make and enforce within its limits all such local, police, sanitary, and other regulations as are not in conflict with general laws.]

SEC. 13. Taxes for county, city, town, school, and other local purposes must be levied on all subjects and objects of taxation. In addition to that which may be levied for the payment of the principal and interest of existing indebtedness, the annual rate on property shall not exceed the following: For county purposes, in counties having two million dollars, or less, shall not

Concave

6. exceed ~~the~~ cents on the one hundred dollars' valuation; in counties having
 7. six million dollars, and under ten million dollars, such rate shall not exceed
 8. ~~the~~ cents on the one hundred dollars' valuation; and in counties having ten
 9. million dollars, or more, such rate shall not exceed ~~the~~ cents on the one hun-
 10. dred dollars' valuation. For city and town purposes such annual rate on
 11. property in incorporated cities and towns shall not exceed — cents on the
 12. one hundred dollars' valuation; and in any city and county with consolidated
 13. government, such rate shall not exceed — cents on the one hundred dollars'
 14. valuation.

Section thirteen was stricken out, on motion of Mr. Jones.

Council

SEC. 14. The Legislature shall have no power to impose taxes upon
 2. counties, cities, towns, or other public or municipal corporations, or upon the
 3. inhabitants or property thereof, for county, city, town, or other municipal
 4. purposes, but may, by general laws, vest in the corporate authorities thereof
 5. the power to assess and collect taxes for such purposes.

SEC. 15. The Legislature shall not delegate to any special commission,
 2. private corporation, company, association, or individual, any power to make,
 3. control, appropriate, supervise, or in any way interfere with, any county, city,
 4. town, or municipal improvement, money, property, or effects, whether held in
 5. trust or otherwise, or to levy taxes or assessments, or perform any municipal
 6. functions whatever.

SEC. 16. No State office shall be continued or created in any county,
 2. city, town, or other municipality, for the inspection, measurement, or gradua-
 3. tion of any merchandise, manufacture, or commodity; but such county, city,
 4. town, or municipality may, when authorized by general law, and the public
 5. interest demands it, appoint such officers.

SEC. 17. Private property shall not be taken or sold for the payment
2 of the corporate debt of any political or municipal corporation.

SEC. 18. All moneys, assessments, and taxes belonging to or collected
2 for the use of any county, city, town, or other public or municipal corpora-
3 tion, coming into the hands of any officer thereof, shall, immediately on the
4 receipt thereof, be deposited with the Treasurer, or other legal depository, to
5 the credit of such city, town, or other corporation respectively, for the benefit
6 of the funds to which they respectively belong.

SEC. 19. The making of profit out of county, city, town, or public
2 school money, or using the same for any purpose not authorized by law, by
3 any officer having the possession or control thereof, shall be a felony, and shall
4 be prosecuted and punished as prescribed by law.

Section nineteen, as amended by Messrs. Caples and McCallum:

[SEC. 19. The making of profit out of county, city, town, or other
2 public money, or using the same for any purpose not authorized by law, by
3 any officer having the possession or control thereof, shall be a felony, and
4 shall be prosecuted and punished as prescribed by law.]

SEC. 20. No county, city, town, township, Board of Education, or
2 school district, shall incur any indebtedness or liability in any manner, or for
3 any purpose exceeding in any year the income and revenue provided for them
4 respectively for such year, without the assent of two-thirds of the voters
5 thereof voting at an election to be held for that purpose; and in cases requir-
6 ing such assent no indebtedness shall be incurred (except by a county to erect
7 a Court-house or Jail) to an amount, excluding existing indebtedness, in the
8 aggregate exceeding five per centum on the value of the taxable property
9 therein, to be ascertained by the assessment next before the last assessment

10 for State and county purposes previous to the incurring such indebtedness,
 11 and unless, before or at the time of incurring such indebtedness, provision
 12 shall be made for the collection of an annual tax sufficient to pay the interest
 13 on such indebtedness as it falls due, and also to constitute a sinking fund for
 14 the payment of the principal thereof within forty years from the time of con-
 15 tracting the same.

Section twenty, as amended by Messrs. Caples, Estee, Hager, and
 Wyatt:

[SEC. 20. No county, city, town, township, Board of Education, or
 2 school district, shall incur any indebtedness or liability in any manner, or for
 3 any purpose, exceeding in any year the income and revenue provided for them
 4 respectively for such year, without the assent of two-thirds of the qualified
 5 voters thereof voting at an election to be held for that purpose, and in cases
 6 requiring such assent no indebtedness shall be incurred (except by a county
 7 to erect a Court-house or Jail, or of a city or city and county for the construc-
 8 tion of water-works or for their acquisition by means of condemnation), to an
 9 amount, excluding existing indebtedness, in the aggregate exceeding two per
 10 centum on the value of the taxable property therein, to be ascertained by the
 11 assessment next before the last assessment for State and county purposes pre-
 12 vious to the incurring such indebtedness, and unless, before or at the time of
 13 incurring such indebtedness, provision shall be made for the collection of an
 14 annual tax sufficient to pay the interest on such indebtedness as it falls due,
 15 and also to constitute a sinking fund for the payment of the principal thereof
 16 within twenty years from the time of contracting the same. Any indebted-
 17 ness or liability incurred contrary to this provision shall be void.]

SEC. 21. No county, city, town, or other public or municipal corpora-
 2 tion, by a vote of its citizens or otherwise, shall become a subscriber to the

Amend Section 20
of striking out all
after the word
"penalty" in the
5th line down to
the word "unless" in
the 12th line and insert
the word "and" after
before said word
unless

Same chapter

3 capital stock, or a stockholder in any corporation, association, or company, or
4 make any appropriation, or donation, or loan its credit to, or in aid of, any
5 person, corporation, association, company, or institution.

Amended

Section twenty-one was stricken out, on motion of Mr. Larkin.

SEC. 22. No law shall be passed by the Legislature granting the right
2 to construct and operate a railroad within any city, town, village, or on any
3 public street or highway thereof, without the consent of the municipal or
4 other proper local authorities having the control of such street or highway
5 proposed to be occupied by such railroad.

Amended

Section twenty-two was stricken out, on motion of Mr. Caples.

SEC. 23. In any city where there are no public works owned and con-
2 trolled by the municipality for supplying the same with artificial light and
3 water, any company duly incorporated by the laws of this State shall, under
4 the direction of the Superintendent of Streets of said city, have the privilege
5 of disturbing and using the public streets and thoroughfares thereof, and of
6 laying down pipes and conduits therein, and of making connections there-
7 with, so far as may be necessary for introducing into and supplying such city
8 and its inhabitants either with gas-light or other illuminating light, or with
9 fresh water for domestic and all other purposes, for which the same or either
10 may be used, upon the conditions following: Such company shall make good
11 all damages to such streets and thoroughfares, except necessarily occasioned
12 by the reasonable use thereof, and be liable to such city and its inhabitants
13 therefor. Such company introducing and supplying gas-light or other light,
14 and fresh water, or either, shall furnish the same, so far as necessary and
15 required, free and without charge, to all public buildings, institutions, and
16 school houses belonging to such city, and used for municipal purposes; and
17 such company introducing and supplying water shall also furnish the same,

18 free and without charge, to the Fire Department, and for the extinguishment
19 of fires. Each company, its property and franchise, shall be liable to such
20 city and its inhabitants for the performance of these conditions.

Corrected
Section twenty-three was stricken out, on motion of Mr. Winans.

SEC. 24. In counties or cities having more than one hundred thousand
2 inhabitants no person shall, at the same time, be a State officer and a city or
3 county officer, nor hold two city or county offices.

Corrected
Section twenty-four was stricken out, on motion of Mr. Larkin.

SEC. 25. No public work or improvement of any description what-
2 soever shall be made or done, in any city, in, upon, or about the streets
3 thereof, or otherwise, the cost and expense of which is made chargeable or
4 may be assessed upon private property by special assessment, unless an esti-
5 mate of such cost and expense shall be made, and an assessment in proportion
6 to benefits, on the property to be affected or benefited, and shall be collected
7 and paid into the city treasury before such work or improvement shall be
8 commenced, or any contract for letting or doing the same authorized or per-
9 formed.

Section twenty-five, as amended by Messrs. Hager, Howard, Blackmer,
and Barbour:

[SEC. 25. No public work or improvement of any description what-
2 soever shall be done or made, in any city, in, upon, or about the streets thereof,
3 or otherwise, the cost and expense of which is made chargeable or may be
4 assessed upon private property by special assessment, unless an estimate of
5 such cost and expense shall be made, and an assessment in proportion to ben-
6 efits, on the property to be affected or benefited, shall be levied, collected, and
7 paid into the city treasury before such work or improvement shall be com-

Come

Come

After a few weeks back in the
house with a few in each day

Adapted

~~Hampton~~
Hilborn

8 menced, or any contract for letting or doing the same authorized or performed.
 9 In any city where there are no public works owned and controlled by the
 10 municipality, for supplying the same with water or artificial light, any indi-
 11 vidual, or any company duly incorporated ^{for such purpose under and by authority of} under the laws of this State, shall,
 12 under the direction of the Superintendent of Streets, and under such regula-
 13 tions as the municipality may prescribe, for damages and indemnity for dam-
 14 ages, have the privilege of using the public streets and thoroughfares thereof,
 15 and of laying down pipes and conduits therein, and connections therewith, so
 16 far as may be necessary for introducing into and supplying such city and its
 17 inhabitants either with gas-light or other illuminating light, or with fresh
 18 water for domestic and all other purposes, upon the condition that the munic-
 19 ipal government shall have the right to regulate the charges thereof.]

SEC. 26. The Legislature shall not pass any local or special law in
 2 the cases following:

3 Regulating the affairs of counties, cities, towns, townships, wards, city or
 4 county Boards of Education, school districts, or other political or municipal
 5 corporation or subdivision of the State;

6 Authorizing the laying out, opening, altering, maintaining, or vacating
 7 roads, highways, streets, alleys, town plats, or parks;

8 Relating to cemeteries, graveyards, or public grounds not of the State;

9 Locating or changing county seats;

10 Incorporating cities, towns, or villages, or changing their charters;

11 Creating offices, or prescribing the powers and duties of officers in
 12 counties, cities, towns, townships, or school districts;

13 Regulating the fees or extending the powers and duties of county or
 14 municipal officers;

15 Regulating the management and maintenance of public schools, the

Sec. 25-

Hager

Amend Sec. 25 as amended
in com. of the whole as follows-

In line 11. Strike out word

"under"

and insert as follows

"for such purpose under and

"by authority of"

line 12 Before word "regulations" insert "general"

- 16 building or repairing of school or Court-houses, and raising of money for such
17 purposes;
18 Extending the time for the assessment or collection of county, city, or
19 other municipal taxes, or otherwise relieving any Assessor or Collector of
20 county or city taxes from the due performance of the official duties, or their
21 securities from liability;
22 Legalizing the unauthorized or invalid acts of any officer or agent of
23 any county or municipality thereof;
24 Directing the payment of money out of the treasury, or by any officer, of
25 any county, city, or town, without the consent of such county, city, and town;
26 Directing the payment of money from out of the treasury, or by any
27 officer of, or creating any liability against, a county, city, town, or any public
28 or municipal corporation, without its consent.

Section twenty-six was stricken out, on motion of Mr. Caples.

Concurrence

City, County and
Municipal Organization

- 521 -

CITY, COUNTY, AND TOWNSHIP ORGANIZATIONS.

As Amended in Convention, and Ordered Engrossed for a Second
Reading, February 18th, 1879.

ARTICLE —.

CITIES, COUNTIES, AND TOWNS.

SECTION 1. The several counties, as they now exist, are hereby recognized as legal subdivisions of this State.

SEC. 2. No county seat shall be removed unless two-thirds of the qualified electors of the county, voting on the proposition at a general election, shall vote in favor of such removal. A proposition of removal shall not be submitted in the same county more than once in four years.

SEC. 3. No new county shall be established which shall reduce any county to a population of less than eight thousand; nor shall a new county be formed containing a less population than five thousand; nor shall any line thereof pass within five miles of the county seat of any county proposed to be divided. Every county which shall be enlarged or created from territory taken from any other county or counties, shall be liable for a just proportion of the existing debts and liabilities of the county or counties from which such territory shall be taken.

SEC. 4. The Legislature shall establish a system of county governments which shall be uniform throughout the State; and by general laws shall provide for township organization, under which any county may organize whenever a

majority of the qualified electors of such county, voting at a general election, shall so determine; and, whenever a county shall adopt township organization, the assessment and collection of the revenue shall be made, and the business of such county and the local affairs of the several townships therein shall be managed and transacted in the manner prescribed by such general laws.

SEC. 5. The Legislature, by general and uniform laws, shall provide for the election or appointment, in the several counties, of Boards of Supervisors, Sheriffs, County Clerks, District Attorneys, and such other county, township, and municipal officers as public convenience may require, and shall prescribe their duties and fix their ^{terms of office} compensation. It shall regulate the ^{compensation of} salaries and fees of ~~all~~ ^{all such officers} county officers, in proportion to duties, and for this purpose may classify the counties by population; and it shall provide for the strict accountability of county and township officers for all fees which may be collected by them, and for all public and municipal moneys which may be paid to them or officially come into their possession.

*Hagers
Amendment*

SEC. 6. The Legislature, by general laws, shall provide for the incorporation, organization, and classification, in proportion to population, of cities and towns; and cities and towns heretofore organized or incorporated may become organized under and subject to such general laws. Cities and towns may become incorporated under general laws, whenever a majority of the electors voting at a general election shall so determine, and shall organize in conformity therewith.

*Hagers
Substitute*

SEC. 7. City and county governments may be merged and consolidated into one municipal government, with one set of officers, and may be incorporated under general laws providing for the incorporation and organization of corporations for municipal purposes. The provisions of this Constitution applicable to cities, and also those applicable to counties, so far as not inconsistent or not prohibited to cities, shall be applicable to such consolidated government. In con-

Hague

Amendment

Sec. 5 line 5

Strike out word "compensation"
and insert "terms of office"

Adopted

In lines 5 & 6 Strike out the
words "Salaries and fees of ^{country} officers"
and insert as follows.
"Compensation of all such officers"

Hague

Substitute for Sec 6

SEC. 6. Corporations, for municipal purposes, shall not be created by
2 special laws, but the Legislature, by general laws, shall provide for the incor-
3 poration, organization, and classification, in proportion to population, of cities

and towns; which ~~general laws~~
may be altered amended or repeated.

Cities and towns heretofore organized or incorporated may
5 become organized under and ~~subject to~~ such general laws. ~~Cities and towns~~
6 ~~may become incorporated under general laws~~, whenever a majority of the
7 electors voting at a general election shall so determine, and shall organize in
8 conformity therewith. ~~and~~

Cities or towns heretofore or here-
after, organized, and all charters
thereof, passed or adopted by
authority of this constitution, shall
be subject to and controlled by
such general laws.

Adopted

Hager

solidated city and county governments, of more than one hundred thousand population, there shall be two Boards of Supervisors or Houses of Legislation—one of which, to consist of twelve persons, shall be elected by general ticket from the city and county at large, and shall hold office for the term of four years, but shall be so classified that after the first election only six shall be elected every two years; the other, to consist of twelve persons, shall be elected every two years, and shall hold office for two years. Any (casual) vacancy in the office of Supervisor, in either Board, shall be filled by the Mayor.

SEC. 8. Any city may frame a charter for its own government, consistent with and subject to the Constitution and laws of this State, by causing a Board of fifteen freeholders, who shall have been for at least five years qualified electors thereof, to be elected by the qualified voters of such city, at any general or special election, whose duty it shall be, within ninety days after such election, to prepare and propose a charter for such city, which shall be signed in duplicate by the members of such Board, or a majority of them, and returned, one copy thereof to the Mayor, or other chief executive officer of such city, and the other to the Recorder of deeds of the county. Such proposed charter shall then be published in two daily papers of largest general circulation in such city for at least twenty days, and within not less than thirty days after such publication it shall be submitted to the qualified electors of such city at a general or special election, and if a majority of such qualified electors voting thereat shall ratify the same, it shall thereafter be submitted to the Legislature for its approval or rejection as a whole, without power of alteration or amendment, and if approved by a majority vote of the members elected to each House, it shall become the charter of such city, or if such city be consolidated with a county in government, then of such city and county, and shall become the organic law thereof, and supersede any existing charter and all amendments thereof, and all special laws inconsistent with such charter. A copy of such charter, certified by the

*Monterey
Ordinance*

Sec 8

Insert after the word "City"
and before the word "may"
in first line section 8, the
following words; viz:

"Containing a population of
more than one hundred
thousand inhabitants."

Moreland.

Mayor, or chief executive officer, and authenticated by the seal of such city, setting forth the submission of such charter to the electors and its ratification by them, shall be made in duplicate and deposited, one in the office of the Secretary of State, the other, after being recorded in the office of the Recorder of deeds of the county, among the archives of the city, and thereafter all Courts shall take judicial notice thereof. The charter so ratified may be amended at intervals of not less than two years, by proposals therefor, submitted by legislative authority of the city to the qualified voters thereof, at a general or special election held at least sixty days after the publication of such proposals, and ratified by at least three-fifths of the qualified electors voting thereat, and approved by the Legislature as herein provided for the approval of the charter. In submitting any such charter, or amendment thereto, any alternative article or proposition may be presented for the choice of the voters, and may be voted on separately without prejudice to others.

SEC. 9. The compensation or fees of any county, city, town, or municipal officer shall not be increased after his election or during his term of office; nor shall the term of any such officer be extended beyond the period for which he is elected or appointed.

SEC. 10. No county, city, town, or other public or municipal corporation, nor the inhabitants thereof, nor the property therein, shall be released or discharged from their or its proportionate share of taxes to be levied for State purposes, nor shall commutation for such taxes be authorized in any form whatsoever.

SEC. 11. Any county, city, town, or township may make and enforce within its limits all such local, police, sanitary, and other regulations as are not in conflict with general laws.

SEC. 12. The Legislature shall have no power to impose taxes upon counties, cities, towns, or other public or municipal corporations, or upon the

inhabitants or property thereof, for county, city, town, or other municipal purposes, but may, by general laws, vest in the corporate authorities thereof the power to assess and collect taxes for such purposes.

SEC. 13. The Legislature shall not delegate to any special commission, private corporation, company, association, or individual, any power to make, control, appropriate, supervise, or in any way interfere with, any county, city, town, or municipal improvement, money, property, or effects, whether held in trust or otherwise, or to levy taxes or assessments, or perform any municipal functions whatever.

SEC. 14. No State office shall be continued or created in any county, city, town, or other municipality, for the inspection, measurement, or graduation of any merchandise, manufacture, or commodity; but such county, city, town, or municipality may, when authorized by general law, and the public interest demands it, appoint such officers.

SEC. 15. Private property shall not be taken or sold for the payment of the corporate debt of any political or municipal corporation.

SEC. 16. All moneys, assessments, and taxes belonging to or collected for the use of any county, city, town, or other public or municipal corporation, coming into the hands of any officer thereof, shall, immediately on the receipt thereof, be deposited with the Treasurer, or other legal depository, to the credit of such city, town, or other corporation respectively, for the benefit of the funds to which they respectively belong.

SEC. 17. The making of profit out of county, city, town, or other public money, or using the same for any purpose not authorized by law, by any officer having the possession or control thereof, shall be a felony, and shall be prosecuted and punished as prescribed by law.

SEC. 18. No county, city, town, township, Board of Education, or school district, shall incur any indebtedness or liability in any manner, or for any pur-

pose, exceeding in any year the income and revenue provided for them respectively for such year, without the assent of two-thirds of the qualified voters thereof voting at an election to be held for that purpose, nor unless, before or at the time of incurring such indebtedness, provision shall be made for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due, and also to constitute a sinking fund for the payment of the principal thereof within twenty years from the time of contracting the same. Any indebtedness or liability incurred contrary to this provision shall be void.

SEC. 19. No public work or improvement of any description whatsoever shall be done or made, in any city, in, upon, or about the streets thereof, or otherwise, the cost and expense of which is made chargeable or may be assessed upon private property by special assessment, unless an estimate of such cost and expense shall be made, and an assessment in proportion to benefits, on the property to be affected or benefited, shall be levied, collected, and paid into the city treasury before such work or improvement shall be commenced, or any contract for letting or doing the same authorized or performed. In any city where there are no public works owned and controlled by the municipality, for supplying the same with water or artificial light, any individual, or any company duly incorporated for such purpose under and by authority of the laws of this State, shall, under the direction of the Superintendent of Streets, or other officer in control thereof, and under such general regulations as the municipality may prescribe for damages and indemnity for damages, have the privilege of using the public streets and thoroughfares thereof, and of laying down pipes and conduits therein, and connections therewith, so far as may be necessary for introducing into and supplying such city and its inhabitants either with gas-light or other illuminating light, or with fresh water for domestic and all other purposes, upon the condition that the municipal government shall have the right to regulate the charges thereof.

Cannon City County
& Township Organization

July 24/79

Reported, Correctly
Engrossed,

W. F. Smith
Secy

February 27, 1879.
Read a Second time
adopted, and referred
to Committee on Revision
and Adjustment.

J. M. Wright
Asst. Secretary.